

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action mailed June 19, 2008. Claims 140-186 were pending in the present application. This Amendment amends claim 140, leaving pending in the application claims 140-186. Applicants submit that no new subject matter has been introduced by virtue of these amendments. Reconsideration of the rejected claims is respectfully requested.

#### **Objection to Claim 140**

Claim 140 is objected to because the claim recites “as least in part” rather than “at least in part.” Claim 140 has been amended to correct this inadvertently introduced typographical error.

#### **35 U.S.C. §103 Rejection of Claims 140-186**

Claims 140-186 are rejected under 35 U.S.C. §103(a) as being unpatentable over Fox et al. (U.S. Patent No. 5,491,629, hereinafter “Fox”). Applicants respectfully traverse the rejection.

#### **Claim 140**

Applicants’ independent claim 140 recites:

A method implemented on a computer system via a plurality of software modules for managing a workflow process, the method assisting a user with procurement decisions, sourcing decisions and strategic sourcing decisions in an enterprise regarding one or a plurality of items, and comprising the steps of:

discovering, via one or more of the software modules, internal and external data related to at least one item based on user-defined parameters, wherein the discovered internal and external data is extracted from a plurality of data sources internal and external to the enterprise;

storing the discovered internal and external data in a data mart;

identifying, via one or more of the software modules, one or more conditions related to the at least one item or related to procurement, sourcing, and strategic sourcing in the enterprise of the at least one item;

if at least one of the one or more conditions is satisfied, generating, via one or more of the software modules, at least one alert for the user;

analyzing, via one or more of the software modules, the discovered internal and external data, wherein an assessment is made of the impact or potential impact of the discovered internal and external data on procurement decisions, sourcing decisions and strategic sourcing decisions in the enterprise with respect to the at least one item, and wherein the assessment is based, at least in part, on one or more user-defined parameters that qualify the internal or external data;

recommending to the user, via one or more of the software modules, one or more proposed actions with respect to the procurement, sourcing or strategic sourcing of the at least one item on behalf of the enterprise based on the analysis of the discovered internal and external data; and

providing to the user, via one or more of the software modules, one or more computer-initiated options for fully or partially executing an action in the one or more proposed actions.

(Applicants' independent claim 140, as amended, emphasis added).

Applicants submit that the features of claim 140 are not rendered obvious by Fox. For example, Fox fails to teach or suggest "providing to the user, via one or more of the software modules, one or more computer-initiated options for fully or partially executing an action in the one or more proposed actions" as recited in claim 140.

The Office Action asserts that the "providing..." feature of claim 140 is shown in Fox at column 10, line 56 to column 11, lines 4 and Figure 6. (Office Action: pg. 5). Applicants respectfully disagree.

Fox is directed to a system (referred to as "LEWIS") for determining the impact of weather and other external factors on a managerial plan for a retail business. (Fox: Abstract). As described in Fox, the LEWIS system combines internal retail data (*e.g.*, inventories, sales records, store traffic, *etc.*) and historical weather data to generate "deweatherized data." This deweatherized data, which corresponds to a normalization of the retail data based on average weather conditions, is used as a baseline for developing a managerial plan. (Fox: col. 2, lines 14-20). The sections of Fox cited in the Office Action indicate that the LEWIS system may be communicatively coupled with one or more workstations, each configured to run a planning

application. This “allows for the transfer of managerial plans between planning applications residing on the same or different workstation.” (Fox: col. 10, lines 60-62). The planning applications are used to carry out a portion of the managerial plan.

Thus, as best understood, the cited sections of Fox merely disclose the general concept of communicatively coupling two or more computers (e.g., LEWIS 202 and workstations 602-616 of Fig. 6) for the purpose of transferring data therebetween. Applicants submit that this does not teach anything about the specific concept of providing a user with one or more computer-initiated options for either fully or partially executing a proposed action. For example, nowhere does the cited section indicate that the LEWIS system provides a user with computer-initiated options for executing a managerial plan, let alone options that distinguish between fully executing the plan and partially executing the plan. Rather, the cited section merely indicates that plan data can be transferred between the LEWIS system and various workstations. Accordingly, Fox fails to teach or suggest “providing to the user, via one or more of the software modules, one or more computer-initiated options for fully or partially executing an action in the one or more proposed actions” as recited in claim 140.

For at least the foregoing reason, Applicants submit that claim 140 is not rendered obvious by Fox, and respectfully request that rejection of claim 140 be withdrawn.

#### Claims 141-148 and 151

Dependent claims 141-148 and 150 depend (either directly or indirectly) from independent claim 1, which is not rendered obvious by Fox as discussed above. Thus, claims 141-148 and 150 are believed to be allowable over Fox for at least a similar rationale as discussed for claim 140, and others.

#### Claims 149 and 151-186

Dependent claims 149 and 151-186 depend (either directly or indirectly) from independent claim 1, which is not rendered obvious by Fox as discussed above. Thus, claims 149 and 151-186 are believed to be allowable over Fox for at least a similar rationale as discussed for claim 140.

In addition, Applicants submit that claims 149 and 151-186 recite additional features which distinguish over Fox. The Office Action asserts that “claims 149 and 151-186 recite limitations similar to those already rejected above. Therefore, claims 149 and 151-186 are rejected on the same basis as claims 140-148 and 150 above.” (Office Action: pg. 9). However, Applicants submit that claims 149 and 151-186 recite numerous features that are not recited in claims 140-148 and 150.

Merely by way of example, claim 160 recites, in part “wherein the step of identifying one or more conditions related to the at least one item includes identifying and establishing rules, notices, and alerts, which are customized according to user-defined criteria.” (Emphasis added).

Claim 161 recites, in part “wherein the alerts may be specified by a user by... specifying alerts from a list of alerts that the system presents to the user via a user interface.” (Emphasis added).

Claim 162 recites, in part “wherein the step of discovering internal and external data includes extraction, transformation and loading of data, and also scanning of data that has been aggregated across a single business unit or across multiple business units of the same enterprise, conducting of real-time searching, and customizing of real-time alerts and news feeds.” (Emphasis added).

Claim 168 recites, in part “wherein the step of analyzing the discovered internal and external data includes selecting parameters from the one or more user-defined parameters, selecting values, value ranges, and/or conditions for the selected one or more user-defined parameters, establishing weight(s) or relative weight(s) for the selected one or more user-defined parameters, and/or prioritizing weight(s) or relative weight(s) for the selected one or more user-defined parameters.” (Emphasis added).

Claim 169 recites, in part “wherein the step of executing one or more actions enables the user to set automation levels at either a first level, which provides a greater range of permitted automated actions, or at a second level, which provides a more restricted range of permitted automated actions.” (Emphasis added).

Claim 170 recites, in part “wherein the additional automation levels may be selected, providing a plurality of customized ranges of permitted automated actions.” (Emphasis added).

Claim 171 recites, in part “wherein the step of executing one or more actions provides agents that follow user-defined rules to enable hands-free handling of user-defined exceptions and processes.” (Emphasis added).

And claim 186 recites, in part “wherein the invocation of a module or plurality of modules with or without instantiation occurs and is accompanied by a representation of the steps that caused the module to be invoked.” (Emphasis added).

Applicants submit that at least the above features of claims 149 and 151-186 are not recited in any other pending claims. Accordingly, Applicants submit that the Office Action has failed to provide a proper basis for rejecting claims 149 and 151-186, and respectfully request that the rejection of these claims be withdrawn.

#### **Amendments to the Claims**

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the Specification as filed and do not add new matter.

#### **CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

/Andrew J. Lee/

Andrew J. Lee  
Reg. No. 60,371

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 415-576-0300  
A2L:m4g  
61418892 v1